

## REMARKS

Reconsideration and allowance of the above-referenced application are respectfully requested. Claims 1, 5, 8, 10, 12, 16, 19, and 23 are amended, claims 3-4, 9, 11, 14-15, and 21-22 are canceled, new claims 26-29 are added, and claims 1-2, 5-8, 10, 12-13, 16-20, and 23- 29 are pending in the application.

The independent claims have been amended to specify that the voice message is recorded in the user computer by encoding the voice message according to any one of G.711, G.729, and GSM encoding protocols, where the selectable MIME type identifies the one encoding protocol used to encode the voice message. Support for the amendment is found at page 10, lines 3-5, page 11, lines 1-7, and step 208 of Figure 3.

Hence, the voice messaging system can identify the encoding protocol of the stored voice message based solely on the explicit value of the MIME type. These and other features are neither disclosed nor suggested in the applied prior art.

As apparent from col. 13, lines 35-67, of Picard, a simple identification of a file as having an “audio” MIME type does not necessarily result in the file being interpreted as a voice message: if the recipient address is not a phone number, the message is sent unchanged to the e-mail system 66 (see col. 13, line 56-58); consequently, Picard requires that the recipient address be a phone number in order to enable the voice message system 68 to identify the MIME audio as intended to be a voice message following transcoding from the conventional .WAV format to the native format (see col. 13, lines 49-54).

Luzeski et al. requires the streaming of voice and fax data from the PC to the VMMM

Voice/Fax store 10-9 (see, e.g., col. 12, lines 1-26). Fig. 4G of Luzeski et al. explicitly teaches that a voice mail or e-mail message is sent to a final destination via the gateway 10-3 using either an SMTP server or X.400 server (col. 21, lines 21-42). Further, the reference to “CMC\_CT\_BASIC AUDIO” in the Appendix refers to a notification message having an attachment specifying a pointer (NAP Telephony ID) for a message stored in the VNMS object store (i.e., the voice/fax store 10-9) (col. 16, lines 35-45). Note, however, that e-mail messages are stored in the e-mail message store 10-2 and voice/fax messages are stored in a separate storage area 10-9 controlled by the Voice Mail Message Manager (VMMM) 10-8 (see, e.g., col. 12, lines 1-26, col. 18, lines 29-33). As such, all voice messages are accessed by a streaming connection (see Fig. 4D and col. 20, lines 22-46).

Further, there is no disclosure or suggestion that the reference to “CMC\_CT\_BASIC\_AUDIO” refers to a message generated by a browser plug-in resource; rather, one skilled in the art would conclude that the disclosed message stored in the voice store 10-9 was stored using a conventional NAP-based voice messaging system via the PSTN (see, e.g., Fig. 5 of Luzeski et al.).

Hence, none of the references, singly or in combination, disclose or suggest recording a message in a user computer using one of G.711, G.729, and GSM encoding protocols, where the MIME type identifies the one encoding protocol, as recited in the claims as amended.

The rejection of the claims under §§102 and 103 in view of U.S. Patent No. 6,233,318 to Picard. and U.S. Patent No. 6,301,245 to Luzeski et al. are moot in view of the foregoing.

In view of the above, it is believed this application is and condition for allowance, and such a Notice is respectfully solicited.

To the extent necessary, Applicant petitions for an extension of time under 37 C.F.R. 1.136. Please charge any shortage in fees due in connection with the filing of this paper, including any missing or insufficient fees under 37 C.F.R. 1.17(a) or 1.17(e), to Deposit Account No. 50-1130, under Order No. 95-454, and please credit any excess fees to such deposit account.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'L R Turkevich', with a stylized flourish at the end.

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